

ATTORNEY DOCKET NO. 053727-5001 US



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:

Kurt R. DAHLBERG *et al.*

Application No.: 10/000,094

Filed: December 4, 2001

For: POLYSACCHARIDE MUSHROOM
COMPOST SUPPLEMENTS

Group Art Unit: 3643

Examiner: Son T. Nguyen

MAIL STOP RCE
Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place, Customer Window
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

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INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicant brings to the attention of the Examiner the documents listed on the attached PTO-1449. This Information Disclosure Statement is being filed, to the best of the undersigned's knowledge, before the mailing date of a first Office Action on the merits for the above-referenced application.

Copies of the listed documents are enclosed. Applicant respectfully requests that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached form.


This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute “prior art”.

Applicants reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 50-0310.

Date: November 21, 2003
Morgan, Lewis & Bockius LLP
Customer No. 00009629
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Respectfully submitted,
Morgan, Lewis & Bockius LLP


Erich E. Veitenheimer
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INFORMATION DISCLOSURE CITATION (Use several sheets if necessary) PTO Form 1449	Attorney Docket No.: 053727-5001 US	Application No.: 10/000,094
	Applicants: Kurt R. DAHLBERG <i>et al.</i> Page 1	
	Filing Date: December 4, 2001	Group: Unassigned

U.S. PATENT DOCUMENTS

Examiner Initial	Document Number	Date	Name	Class	Sub Class	Filing Date
	1,869,517	Aug. 2, 1932	Sinden			March 17, 1931
	5,927,003	Jul. 27, 1999	Miller <i>et al.</i>	47	58	February 24, 1995

FOREIGN PATENT DOCUMENTS

Document Number	Date	Country	Class	Sub Class	Translation Yes No

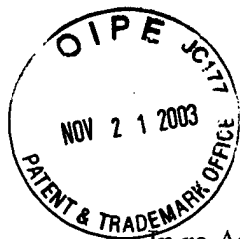
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	"Description of Products available from Sylvan Spawn Company at www.sylvaninc.com , printed 11/11/2003, eight pages"

Examiner	Date Considered
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Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication.

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PATENT
ATTORNEY DOCKET NO. 053727-5001-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Kurt R. DAHLBERG *et al.*

Application No.: 10/000,094

Filed: December 4, 2001

For: POLYSACCHARIDE MUSHROOM COMPOST
SUPPLEMENTS

Group Art Unit: 3643

Examiner: S. Nguyen

Assistant Commissioner for Patents
Washington, D.C. 20231

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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicant brings to the attention of the Examiner the documents listed on the attached PTO-1449. This Supplemental Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Copies of the listed documents are attached.

Applicants bring to the attention of the Examiner the following three references which were cited in the International Search Report (copy attached) issued in corresponding PCT application PCT/US01/45374: Patent Abstracts of Japan (Japanese Publication No.: 2000 287539), German Patent No. DE 4420402C and U.S. Patent No. 5,888,803. Applicants note that European Patent Nos. EP 0290236 and EP 0700844 which are cited on the Search Report were submitted to the Examiner in a previous IDS submitted on July 2, 2002.

Applicants respectfully request that the Examiner consider the listed documents and indicate that the documents have been considered by making appropriate notations on the attached form.

COPY

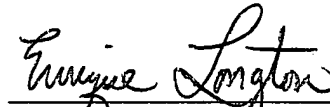
This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If it should be determined that any of the listed documents do not constitute "prior art" under United States law, Applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such document.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

Except for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. §1.136(a)(3).

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP



Enrique D. Longton

Reg. No. 47,304

Dated: January 29, 2003
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